

CITY OF GAINESVILLE

REQUEST FOR PROPOSAL



GAINESVILLE

RFP No. 22003
Library Plaza Retail Concept

Proposal Release: September 8, 2021
Proposal Questions Deadline: September 22, 2021 @ 10:00 am
Proposal Due Date: October 6, 2021 @ 2:00 pm

Postal Return Address:

City of Gainesville
Purchasing Office
P.O. Box 2496
Gainesville, GA 30503

Courier Delivery Address:

City of Gainesville
Purchasing Office
300 Henry Ward Way, Room 201
Gainesville, GA 30501

City of Gainesville

Request for Proposal



RFP No. 22003

Library Plaza Retail Concept

Sealed Proposals will be received by the **City of Gainesville, Financial Services Department, 300 Henry Ward Way, STE 201, Gainesville, GA. 30501** until 2:00 pm, Wednesday, October 6, 2021 for a **Proposal to develop and/or lease +/- 6,500 square feet of commercial space adjacent to the Gainesville North Parking Deck at 130 Main Street NW.**

OVERVIEW

The City of Gainesville, Georgia (Hereafter also referred to as “The City”) seeks proposals to develop and/or lease property adjacent to the Gainesville North Parking Deck at 130 Main Street NW. A concept of the Gainesville North Parking Deck includes approximately 6,500sf of retail space, plus rooftop space, to be built out into Brenau Avenue and attached to the parking deck. The retail space has not been fully designed, nor is it presently scheduled to be constructed.

The Gainesville North Parking Deck design provides accommodations for the retail space. All utilities will be stubbed out for retail, excluding natural gas. Grease traps and a trash compactor are being installed in the deck as well. The parking deck also includes flex space on the ground and second floor that can be used for storage, kitchen build-out or restrooms. Access to the retail space for employees and deliveries will be available in the deck. The general public will access the retail space from the plaza formerly known as Brenau Avenue.

This RFP seeks proposals to build-out and utilize the retail space. Respondents must provide proposals for 1) How the build-out of the space would occur 2) Any terms associated with the build-out and use of the space 3) Timeline for build-out and business location and 4) The business concept(s) to be located in the retail space.

Further details will be included in the Selection Criteria.

PROPOSAL CORRESPONDENT

Upon Release of this Request for Proposal, all vendor communications concerning this acquisition must be directed to the Administrative Services Department correspondent listed below:

City of Gainesville
Financial Services Department
Attn: Kevin Hutcheson
PO Box 2496, Gainesville, GA. 30503
KHutcheson@gainesvillega.gov

Unauthorized contact regarding the proposal with other Gainesville City employees may result in disqualification. Any oral communications will be considered unofficial and non-binding on the City of Gainesville. Vendor should rely only on written statements issued by the proposal correspondent.

PROPOSAL QUESTIONS

All questions must be submitted in writing to the proposal correspondent named above. Questions must be received by 10:00 a.m., Wednesday, September 22, 2021. A list of questions and answers will be provided to all know proposers and by request. Requests may be made to the proposal correspondent named above.

PROPOSAL RESPONSE DATE AND LOCATION

The Administrative Services department must receive the vendor’s proposal in a sealed envelope, in its entirety, not later than 2:00 pm, Eastern Standard Time in Gainesville, Georgia on October 6, 2021. Proposals arriving after the deadline will be returned unopened to their senders. All proposals and accompanying documentation will become the property of the City of Gainesville and may not be returned. One (1) original and (4) copies of this proposal must be submitted to allow for evaluation. Proposals must be clearly marked on the outside of the package:

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Vendors assume the risk of the method of dispatch chosen. The City of Gainesville assumes no responsibility for delays caused by any delivery service. Postmarking by the due date will not substitute for actual proposal receipt. Late proposals will not be accepted nor will additional time be granted to any vendor. Proposals may not be delivered by facsimile transmission or other telecommunication or solely by electronic means.

Proposal Schedule:

Proposal Release:	September 8, 2021
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WAIVER OF TECHNICALITIES

All items must meet or exceed specifications as stated by the City of Gainesville. The City of Gainesville reserves the right to waive any technicalities and to reject or accept any Proposal in its entirety or to accept any portion thereof if it is determined that either method results in lower costs, better service, final satisfaction or is otherwise determined to be in the best interest of the City of Gainesville. Award may be made by item number or in total. Determination of best response to proposal will be the sole judgment of the City of Gainesville. Proposals shall remain valid for ninety days for the date of proposal opening.

PROPOSAL REJECTION

The City of Gainesville reserves the right to reject any or all proposals at any time without penalty.

Any vendor, who acts as a supplier to another vendor submitting a proposal and also submits a proposal of their own, will be viewed as participating in Collusive behavior. This behavior displays a pattern or practice of unethical or immoral business practices. Any vendor associated with this practice may be banned from doing business with the City of Gainesville for up to three years.

MODIFICATION OF PROPOSALS

Any clerical mistake that is patently obvious on the face of the proposal may, subject to the limitations described below, be corrected upon written request and verification submitted by the proposers. A nonmaterial omission in a proposal may be corrected if the Administrative Service Department determines that correction to be in the City's best interest. Omissions affecting or relating to any of the following shall be deemed material and shall not be corrected after Proposal opening:

- (1) Price Information; and
- (2) Any required Insurance

WITHDRAWAL OF PROPOSALS

Proposals may be withdrawn at any time prior to the proposal opening. After proposals have been publicly opened, withdrawal of a proposal shall be based upon the following:

The Proposer shall give notice in writing of his claim of right to withdraw his proposal due to an error within two business days after the conclusion of the proposal opening procedure. Proposals may be withdrawn from consideration if the price is substantially lower than the other proposals due solely to a mistake therein, provided the proposal was submitted in good faith, and the mistake was a clerical mistake as opposed to a judgment mistake, and was actually due to an unintentional arithmetic error or an unintentional omission of a quantity of work, labor or material made directly in the compilation of the proposal, which unintentional arithmetical error or unintentional omission can be clearly shown by objective evidence drawn from inspection of original work papers, documents and materials used in the preparation of the proposal sought to be withdrawn. The proposer's original work papers shall be the sole acceptable evidence of error and mistake if he elects to withdraw his proposal. If a proposal is withdrawn under the authority of this provision, the lowest remaining responsive proposal shall be deemed to be the low proposal.

PROPOSER'S RESPONSIBILITY

When determining whether a proposer is responsible, or when evaluating a proposal, the following factors may be considered, any one of which will suffice to determine whether a proposer is responsible or the proposal is the most advantageous to the City:

- The ability, capacity and skill of the proposer to perform the contract or provide the equipment and/or service required.
- The character, integrity, reputation, judgment, experience and efficiency of the proposer.
- Whether the proposer can perform the contract within the time specified.
- The quality of performance of previous public and private contracts or services, including, but not limited to, the proposer's failure to perform satisfactorily or complete any written contract. The City's termination for default of a previous contract with a proposer, within the past three years, shall be deemed to be such a failure.
- The previous and existing compliance by the Proposer with laws relating to the contract or service.
- Evidence of collusion with any other Proposers, in which case colluding proposers will be restricted from submitting further proposals on the subject project or future proposals, for a period not less than three years.
- The proposer has been convicted of a crime of moral turpitude or any felony, excepting convictions that have been pardoned, expunged or annulled, whether in this state, in any other state, by the United States, or in a foreign country, province or municipality. Proposer shall affirmatively disclose to the City all such convictions, especially of management personnel or the proposers as an entity, prior to notice of award or execution of a contract, whichever comes first. Failure to make such affirmative disclosure shall be grounds, in the City's sole option and discretion, for termination for default subsequent to award or execution of the contract.
- If the proposer will be unable, financially or otherwise, to perform the work.
- At the time of the proposal opening, the proposer is not authorized to do business in the Georgia, or otherwise lacks a necessary license, registration or permit.
- Any other reason deemed proper by the City.

NON-ENDORSEMENT

As a result of the selection of a vendor to supply products and/or services to the City of Gainesville, the City of Gainesville is neither endorsing nor suggesting that the vendor's product is the best or only solution. The vendor agrees to make no reference to the City of Gainesville in any literature, promotional material, brochures, sales presentation or the like without the express written consent of the City of Gainesville.

PROPRIETARY PROPOSAL MATERIAL

Any information contained in the proposal that is proprietary will be neither accepted nor honored. All information contained in this proposal is subject to public disclosure.

RESPONSE PROPERTY OF THE CITY OF GAINESVILLE

All material submitted in response to this request becomes the property of the City of Gainesville. Selection or rejection of a response does not affect this right.

NO OBLIGATION TO BUY

The City of Gainesville reserves the right to refrain from contracting with or purchasing from any vendor. The release of this proposal does not compel the City of Gainesville to purchase.

COST OF PREPARING PROPOSALS

The City of Gainesville is not liable for any cost incurred by vendors in the preparation and presentation of proposals and demonstrations submitted in response to this proposal.

NUMBER OF PROPOSAL COPIES REQUIRED

Vendors are to submit one (1) original Proposal and four (4) copies.

ADDENDA

Proposers are responsible to check the City of Gainesville's website for the issuance of any addenda prior to submitting a proposal. The address is <http://www.gainesville.org/purchasing>

PROPOSAL AWARD AND EXECUTION

The City will select the proposal that, in its sole discretion, is the most responsive and responsible proposal to the City. The City reserves the right to make any award without further discussion of the proposal submitted; there may be no best and final offer procedure. Therefore, the proposal should be initially submitted on the most favorable terms the vendor can offer. The specification may be altered by the City of Gainesville based on the vendor's proposal and an increase or reduction of services with the manufacturer may be negotiated before proposal award and execution.

Should the owner require additional time to award the Contract, the time may be extended by the mutual agreement between the Owner and the successful Bidder. If an award of Contract has not been made within ninety days from the Bid date or within the extension mutually agreed upon, the Bidder may withdraw the Bid without further liability on the part of either party.

LOCAL VENDOR PREFERENCE

Local Vendor means a bidder or offeror which operates and maintains a brick and mortar business, i.e. a physical business address, within the city limits of the City of Gainesville, has a current business license, has paid in full all real and personal taxes owed the City, is considered a vendor in good standing with the City and can obtain an active vendor status.

A local vendor may receive an opportunity to match for purchases, bids, proposal or contracts over \$20,000 and less than \$100,000. The local vendor may be given an opportunity to match the lowest price proposal, if the quotation or bid of the local vendor is within 3% of the lowest price proposal by a non-local vendor. In the event a local vendor matches the lowest price proposal, including all other terms, quality, services and conditions, then the local vendor shall be awarded the contract.

In the event the price proposal of more than one local vendor is within 3% of the lowest overall price proposal of a non-local vendor, the local vendor with the lowest proposal will be given the first opportunity to match

the lowest overall price proposal. If this local vendor declines to match the price proposal, then the local vendor with the next lowest bid within 3% will be given the opportunity to match the lowest proposal. This process will continue with all local vendors having proposal within 3% of the lowest overall bid by a non-local vendor.

Policy to be stated. This policy shall be so stated in all applicable solicitations.

Exemptions. This provision does not apply to public works construction projects or road projects pursuant to the laws of the State of Georgia (O.C.G.A §36-91 or §32-4).

PROPOSAL REQUIREMENTS/EVALUATION CRITERIA

The City will evaluate all written submittals. It is incumbent upon the proposers to demonstrate within their proposals how each requirement will be satisfied. All Proposals must meet the specification as outlined in this Proposal. The City reserves the right to investigate the qualifications and experience of the proposers, or to obtain new proposals. Proposals not sufficiently detailed or in an unacceptable form may be rejected by the City. Dates and documentation included in the proposal become public information upon opening the proposals. Interested firms must follow the process outlined in the following pages in submitting their proposal.

The following criteria, not listed in order of importance, will be used to evaluate proposals.

- Terms, condition and pricing of purchase or lease agreement.
- The financial ability of the proposer.
- If the City chooses this option, the cost of the proposer's warranties and/or maintenance agreement and scope of coverage.
- Depth of the proposer's experience
- Type of durability of product(s).
- Types and cost of amenities available for the product(s).

SELECTION CRITERIA

Evidence of Successful Commercial Development or Redevelopment Project(s) (30%)

Interested parties should provide information indicating successful implementation(s) of a commercial development or redevelopment project, as well as indicate success locating and/or managing a restaurant(s) as part of the development(s).

Development/Financing Concept (30%)

The proposal should include the preferred method for the build-out of the commercial property, including terms, level of City participation (if any), timeline for development, terms of leasing (if applicable), terms of purchase (if applicable), terms of lease/purchase (if applicable).

Business Concept (30%)

Provide a detailed description of the proposed business concept(s) to be located in the commercial space. Include hours of operation. If the concept is a restaurant, provide detail regarding the types of proposed food and drinks to be offered.

Understanding of City Goals/Vision (10%)

The City has placed significant resources and investment in the continued development of Downtown Gainesville. Interested parties should demonstrate a firm understanding and agreement with this Vision and indicate how the proposed business concept will help expand that Vision.

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Commercial Property – Gainesville North Parking Deck/130 Main Street
Proposal Certification

This form must be completed and signed for proposal to be considered.

With my signature, I certify that I am authorized to commit my firm to the proposal and that the information herein is valid for 90 days from this date. I further certify that all information presented herein is accurate and complete and that the scope of work can be performed as presented in this proposal upon the City's request.

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Bid Response:

Price: \$ _____

Having read and responded to all attached specifications, the undersigned offers the above quoted prices, terms and conditions.

Signed, sealed, and delivered

In the presence of:

(Name of Company)

Unofficial Witness

By: _____
(Person authorized to sign binding contract)

Title: _____

Notary Public
Commission Expires: _____

Attest: _____
(Officer of Company if Corporation)

Title: _____